

**CHAPTER 1251. FUNERAL DIRECTORS' SERVICES**

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**Authority**

The provisions of this Chapter 1251 issued under the Public Welfare Code (62 P.S. §§ 402, 403 and 509), unless otherwise noted.

**Source**

The provisions of this Chapter 1251 adopted December 26, 1980, effective January 1, 1981, 10 Pa.B. 4958, unless otherwise noted.

**Cross References**

This chapter cited in 55 Pa. Code § 1101.95 (relating to conflicts between general and specific provisions); and 55 Pa. Code § 283.31 (relating to funeral director violations).

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(346117) No. 422 Jan. 10

## GENERAL PROVISIONS

### § 1251.1. Policy.

The Department provides payment for funeral directors' services rendered to eligible deceased recipients by funeral directors who are enrolled as providers under the program. Payment shall be subject to this chapter and Chapters 283 and 1101 (relating to payment for burial and cremation; and general provisions).

#### Authority

The provisions of this § 1251.1 amended under sections 201(2) and 403(b) of the Public Welfare Code (62 P. S. §§ 201(2) and 403(b)).

#### Source

The provisions of this § 1251.1 adopted December 29, 1980, effective January 1, 1981, 10 Pa.B. 4958; amended October 30, 2009, effective October 31, 2009, 39 Pa.B. 6336. Immediately preceding text appears at serial page (276184).

## SCOPE OF BENEFITS

### § 1251.21. Scope of benefits for the categorically needy.

Categorically needy recipients who were receiving a money payment at the time of their death as set forth in § 283.4 (relating to assistance status of deceased) are eligible for funeral directors' services listed in Chapter 1150 (relating to MA Program payment policies) and the MA Program fee schedule hereto subject to the conditions and limitations of this chapter and Chapter 283 (relating to payment for burial and cremation).

#### Authority

The provisions of this § 1251.21 amended under sections 201(2) and 403(b) of the Public Welfare Code (62 P. S. §§ 201(2) and 403(b)).

#### Source

The provisions of this § 1251.21 adopted December 26, 1980, effective January 1, 1981, 10 Pa.B. 4958; amended December 23, 1983, effective January 1, 1983, 13 Pa.B. 3932; amended September 30, 1988, effective October 1, 1988, 18 Pa.B. 4418; amended October 30, 2009, effective October 31, 2009, 39 Pa.B. 6336. Immediately preceding text appears at serial page (276184).

### § 1251.22. Scope of benefits for the medically needy.

Medically needy recipients are not eligible for funeral directors' services.

#### Source

The provisions of this § 1251.22 adopted December 26, 1980, effective January 1, 1981, 10 Pa.B. 4958.

### § 1251.23. Scope of benefits for State Blind Pension recipients.

State Blind Pension recipients are eligible for funeral directors' services subject to the conditions and limitations of this chapter and Chapter 283 (relating to payment for burial and cremation).

**Authority**

The provisions of this § 1251.23 amended under sections 201(2) and 403(b) of the Public Welfare Code (62 P. S. §§ 201(2) and (403(b)).

**Source**

The provisions of this § 1251.23 adopted December 26, 1980, effective January 1, 1981, 10 Pa.B. 4958; amended October 30, 2009, effective October 31, 2009, 39 Pa.B. 6336. Immediately preceding text appears at serial pages (276184) to (276185).

**§ 1251.24. Scope of benefits for General Assistance recipients.**

General Assistance recipients, age 21 to 65, whose MA benefits are funded solely by State funds, are eligible for medically necessary basic health care benefits as defined in Chapter 1101 (relating to general provisions). See § 1101.31(e) (relating to scope).

**Source**

The provisions of this § 1251.24 adopted December 11, 1992, effective January 1, 1993, 22 Pa.B. 5995.

**PROVIDER PARTICIPATION****§ 1251.41. Participation requirements.**

A funeral director may participate in the MA Program in accordance with §§ 1101.41—1101.43.

**Source**

The provisions of this § 1251.41 adopted December 26, 1980, effective January 1, 1981, 10 Pa.B. 4958.

**§ 1251.42. Ongoing responsibilities of providers.**

In addition to the applicable responsibilities of providers established in § 1101.51 (relating to ongoing responsibilities of providers), funeral directors shall, as a condition of participation comply fully with Chapter 283 (relating to payment for burial and cremation).

**Authority**

The provisions of this § 1251.42 amended under sections 201(2) and 403(b) of the Public Welfare Code (62 P. S. §§ 201(2) and 403(b)).

**Source**

The provisions of this § 1251.42 adopted December 26, 1980, effective January 1, 1981, 10 Pa.B. 4958; amended October 30, 2009, effective October 31, 2009, 39 Pa.B. 6336. Immediately preceding text appears at serial page (276185).

**PAYMENT FOR FUNERAL DIRECTORS' SERVICES****§ 1251.51. General payment policy.**

Payment shall be made for funeral directors' services subject to the conditions and limitations established in Chapter 283 (relating to payment for burial and cremation).

**Authority**

The provisions of this § 1251.51 amended under sections 201(2) and 403(b) of the Public Welfare Code (62 P. S. §§ 201(2) and 403(b)).

**Source**

The provisions of this § 1251.51 adopted December 26, 1980, effective January 1, 1981, 10 Pa.B. 4958; amended October 30, 2009, effective October 31, 2009, 39 Pa.B. 6336. Immediately preceding text appears at serial page (276185).

**UTILIZATION CONTROL****§ 1251.71. Scope of claims review procedures.**

Claims submitted for payment under the MA Program are subject to the utilization control procedures established in Chapters 283 and 1101 (relating to payment for burial and cremation; and general provisions).

**Authority**

The provisions of this § 1251.71 amended under sections 201(2) and 403(b) of the Public Welfare Code (62 P. S. §§ 201(2) and 403(b)).

**Source**

The provisions of this § 1251.71 adopted December 26, 1980, effective January 1, 1981, 10 Pa.B. 4958; amended October 30, 2009, effective October 31, 2009, 39 Pa.B. 6336. Immediately preceding text appears at serial page (276186).

**ADMINISTRATIVE SANCTIONS****§ 1251.81. Provider misutilization.**

Providers determined to have billed for services inconsistent with MA Program regulations or to have otherwise violated the standards set forth in the provider agreement, are subject to the sanctions described in Chapter 1101 (relating to general provisions) and § 283.31 (relating to funeral director violations).

**Authority**

The provisions of this § 1251.81 amended under sections 201(2) and 403(b) of the Public Welfare Code (62 P. S. §§ 201(2) and 403(b)).

**Source**

The provisions of this § 1251.81 amended October 30, 2009, effective October 31, 2009, 39 Pa.B. 6336. Immediately preceding text appears at serial page (276186).

**APPENDIX A. [Reserved]****Source**

The provisions of this Appendix A reserved December 23, 1983, effective January 1, 1983, 13 Pa.B. 3932. Immediately preceding text appears at serial page (58200).

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